

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

United States of America)

v.)

Charles Anthony PITTMAN)

Case No. 5:20-MJ-1575-JG)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 30, 2020 in the county of Cumberland in the
Eastern District of North Carolina, the defendant(s) violated:

Code Section

Title 18 U.S.C. §§ 844 (f)(1), (f)(2)
and 2

Offense Description

Maliciously damaged by means of fire a building, which building is in part owned and possessed by the City of Fayetteville, an organization receiving Federal financial assistance, and such conduct created a substantial risk of injury to other persons, and aiding and abetting.

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.

On this day, JEFF SILVER
 appeared before me via reliable electronic means,
 was placed under oath, and attested to the contents
 of this Complaint.

Jeffrey M Silver
 Complainant's signature

Jeff Silver, Special Agent
 Printed name and title

Date:

5 JUNE 202006/04/2020

City and state:

Raleigh, NC

[Signature]
 Judge's signature

James E. Gates, U.S. Magistrate Judge
 Printed name and title

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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

Probable Cause Affidavit

I, Jeff Silver, hereinafter designated as affiant, having been duly sworn according to law, deposes and states that:

1. Affiant is a Special Agent with the United States Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). Affiant has been so employed since December of 2013 and is currently assigned to the Fayetteville, North Carolina Field Office within the Charlotte, North Carolina Field Division. Affiant graduated from the Special Agent Basic Training Academy (ATF National Academy) and the Federal Law Enforcement Training Center in July of 2014. Affiant has received extensive training at the ATF National Academy in the investigation of firearms, arson, and explosives offenses. Affiant is also a member of the ATF National Response Team (NRT), which responds to major fire and explosive incidents nationwide, since June of 2017.
2. Affiant's duties include, but are not limited to, enforcing the Federal firearms laws as well as other laws committed in violation of Federal Statutes. During Affiant's employment with ATF, Affiant has conducted and assisted in numerous firearms, narcotics, and fire investigations. Prior to being hired with ATF, Affiant was an eighteen year veteran of the fire service in both career and volunteer leadership positions.
3. As a result of Affiant's training and experience as an ATF Special Agent, Affiant is familiar with Federal criminal laws and has participated in the investigations of criminal violations of federal law, including, but not limited to Title 18 United States Code Section 844.
4. This affidavit is based on personal knowledge gained from participating in this investigation, interviews by the Affiant or other participating agents or officers during the investigation, and conclusions the Affiant has reached based off of training and experience in the investigation of offenses involving federal arson violations. Affiant is not including every fact of the investigation, but only the necessary information needed to obtain probable cause.

Facts in Support of Probable Cause

5. On or about May 30, 2020, a protest took place in downtown Fayetteville, North Carolina. At approximately 7:15 p.m., the previously peaceful protest turned violent as multiple individuals, both known and unknown, set fire to a federal historic landmark known as the Market House. The Market House, located at One Market Square in Fayetteville, N.C. 28301, was built in 1832 and was entered into the National Register of Historic Places on

September 15, 1970. The Market House is owned and operated by the City of Fayetteville, which receives federal funding annually—as confirmed by City officials.

6. One individual identified as taking part in setting the Market House ablaze is Charles Anthony PITTMAN, dob 10/10/1987. Local media covering the protest filmed PITTMAN standing on the second story balcony of the Market House holding a red, plastic gasoline container. PITTMAN wore a black t-shirt with a black and white photo of Martin Luther King, Jr. addressing a crowd on the National Mall. PITTMAN also wore white ear-buds which were dangling from one ear, down his chest, and partially tucked into the neckline of his t-shirt.



7. PITTMAN spread gasoline throughout the second story floor of the Market House. An employee, who responded to the Market House when the alarm went off, witnessed several individuals on the second floor busting out windows and breaking furniture. One of those individuals, who the employee later identified as PITTMAN, went to an open window to show the crowd below the red gasoline container in his hands. The employee watched as PITTMAN began to douse the floor of the second story with the gasoline. The employee's attention turned to the other individuals. However, when the employee turned back to PITTMAN, he noticed PITTMAN standing next to a fire—right where the employee witnessed PITTMAN pour gasoline. PITTMAN then ran out of the Market House.
8. The next day, a crime analyst from the Fayetteville Police Department confirmed PITTMAN's identity from the live television image and other social media outlets. The analyst provided a Facebook Live video from PITTMAN's profile, Charles KingCappo Pittman, to ATF Agents. The video, recorded earlier in the day on May 30, 2020, showed

PITTMAN driving his vehicle in downtown Fayetteville. PITTMAN wore the same black t-shirt with the black and white photo of Martin Luther King, Jr., as well as the white earbuds.




9. In the video, PITTMAN discussed the Market House. PITTMAN started with saying, "I'm out here doing the scopey scopey. I'm out here doing the scope. Scoping out the scene." As PITTMAN pulled up to the traffic circle with the Market House in the middle, he said, "It looks like it's there for the taking." As he passed a Fayetteville Police Department patrol car, PITTMAN said, "But they know it's coming. They are waiting." After discussing whether slaves were sold at the Market House, PITTMAN declared, "maybe it should come down." As PITTMAN pulled away from the Market House he told the Facebook Live crowd, "We'll be back. We'll be back...I'll be back y'all. 100."
10. In the video, the steering wheel of PITTMAN's car can be seen with a Mercedes Benz emblem in the middle. A North Carolina Department of Motor Vehicles records check confirmed a 2001 Mercedes Benz E320 is registered to PITTMAN.
11. The Market House sustained damage as a result of the fires on May 30, 2020. This damage includes charring and discoloration on the exterior stairway and supportive railing; charring

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and discoloration to the wooden stairs and supportive railing; charring and discoloration to the wooden safety rail located on the exterior second floor balcony; discoloration and soot on the interior walls around the entrance doorway and wooden stairs that accessed the second floor; and charring and mass loss to the wood flooring on the second floor.

12. Based on the foregoing investigation, probable cause exists to believe that the subject, Charles Anthony PITTMAN, aiding and abetting others, did violate Federal law including Title 18, United State Code Sections 844(f)(1), (f)(2), and 2. I respectfully request that a complaint warrant be issued for Charles Anthony PITTMAN.



Jeff Silver
Special Agent
Bureau of Alcohol, Tobacco, Firearms and Explosives

On this 5 day of June 2020, Jeff Silver appeared before me via reliable electronic means, was placed under oath, and attested to the contents of this affidavit.



JAMES E. GATES
UNITED STATES MAGISTRATE JUDGE